

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KHALED SHABANI,

Plaintiff,

v.

ABDUL SARHAN, SUZANNE MARIE,
ABDELHAKIM BOUTELDJA AND
A TO Z AUTO SPORTS LLC,

Defendants.

OPINION AND ORDER

20-cv-885-bbc

Pro se plaintiff Khaled Shabani has filed a civil action, contending that defendants Abdul Sarhan, Suzanne Marie and Abdelhakim Bouteldja, who work for defendant A to Z Auto Sports, LLC, violated his “civil rights” and committed intentional torts by entering his apartment without permission, looking at his personal belongings, ripping his luggage, threatening him at a car auction and buying overpriced cars for him at the car auction. He also alleges that defendant A to Z Auto Sports has not paid him for the three weeks that he worked. Plaintiff’s complaint is before the court for screening under 28 U.S.C. § 1915(e) to determine whether it is frivolous, malicious, fails to state a claim upon which relief may be granted or seeks money damages from a defendant who is immune from such relief.

I conclude that plaintiff cannot proceed on his claim in federal court. Plaintiff cannot bring a federal claim under 42 U.S.C. § 1983 against defendants for violations of his civil rights because none of them are “state actors” for purposes of § 1983. Plaintiff’s claims also are state-law tort or wage claims that he cannot bring in federal court unless he were to show that the requirements for the court’s diversity jurisdiction are met. Because plaintiff alleges

that he and defendants are all Wisconsin citizens, the requirements for diversity jurisdiction are not met in this case. 28 U.S.C. § 1332.

For these reasons, I will dismiss plaintiff's complaint. If plaintiff wishes to sue defendants, he must do so in state court.

ORDER

IT IS ORDERED that plaintiff Khaled Shabani's complaint is DISMISSED for lack of subject matter jurisdiction. The clerk of court is directed to enter judgment in favor of defendant and close this case.

Entered this 13th day of October, 2020.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge